

BOARD BILL #247

INTRODUCED BY: ALDERMAN JOSEPH RODDY

1 An ordinance recommended by the Board of Public Service to conditionally vacate above surface,
2 surface and sub-surface rights for vehicle, equestrian and pedestrian travel in Parkview Place from
3 Euclid to Kingshighway in the City of St. Louis, Missouri, as hereinafter described, in accordance
4 with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing
5 certain conditions on such vacation.

6 BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

7 **SECTION ONE:** The above surface, surface and sub-surface rights of vehicle, equestrian
8 and pedestrian travel, between the rights-of-way of:

9
10 A strip of land being Parkview Place, 60 feet wide, part of Blocks 3886 & 3887 of
11 the City of St. Louis, Missouri, being more particularly described as follows:

12
13 Beginning at a found cross monumenting the intersection of the
14 southerly line of Parkview Place, 60 feet wide, and the easterly line
15 of Kingshighway Boulevard, 130 feet wide; thence continuing along
16 last said easterly line north 08 degrees 09 minutes 00 seconds west,
17 60.00 feet to a found iron pipe monumenting the intersection of the
18 northerly line of said Parkview Place and the easterly line of said
19 Kingshighway Boulevard; thence along last said northerly line north
20 82 degrees 00 minutes 00 seconds east, 856.56 feet to a found cross
21 monumenting the intersection of the northerly line of said
22 Kingshighway Boulevard and the westerly line of Euclid Avenue,
23 variable-width; thence along last said westerly line south 17 degrees
24 02 minutes 14 seconds east, 60.75 feet to a cut cross monumenting
25 the intersection of the southerly line of said Parkview Place and the
26 westerly line of said Euclid Avenue; thence along last said southerly
27 line south 82 degrees 00 minutes 00 seconds west, 445.28 feet to a
28 found cross making the northeast corner of St. Louis Children's
29 Hospital condominium, as recorded in Plat Book 58, Pages 36
30 through 47 of the City of St. Louis Records; thence departing last said
31 southerly line of Parkview Place, and along the easterly, northerly,
32 and westerly lines of a street vacation for Parkview Place, as recorded
33 in Plat Book 1192004, Page 98 of said City of St. Louis Records, the
34 following courses and distances: north 07 degrees 57 minutes 28
35 seconds, 8.50 feet; thence south 81 degrees 57 minutes 32 seconds
36 west, 4.15 feet; thence south 36 degrees 57 minutes 32 seconds west,

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12.01 feet to a point on the southerly line of said Parkview Place; thence along last said southerly line south 82 degrees 00 minutes 00 seconds west, 37.57 feet; thence departing last said southerly line of Parkview Place, and along the easterly, northerly, and westerly lines of a street vacation for Parkview Place, as recorded in Plat Book 11192004, Page 98 of said City of St. Louis Records, the following courses and distances: thence north 08 degrees 02 minutes 28 seconds west 1.55 feet; thence south 81 degrees 57 minutes 30 seconds west, 38.25 feet; thence south 08 degrees 02 minutes 30 seconds east, 1.52 feet to a point on said southerly line of Parkview Place; thence along the southerly line of Parkview Place south 82 degrees 00 minutes 00 seconds west 48.00 feet; thence departing last said southerly line of Parkview Place, and along the easterly, northerly, and westerly lines of a Street Vacation for Parkview Place, as recorded in Plat Book 11192004, Page 98 of said City of St. Louis Records, the following courses and distances: thence north 08 degrees 02 minutes 28 seconds west 4.90 feet; thence south 81 degrees 57 minutes 32 seconds west, 55.50 feet; thence south 08 degrees 02 minutes 28 seconds east, 4.86 feet to a point on said southerly line of Parkview Place; thence continuing along last said southerly line south 82 degrees 00 minutes 00 seconds west, 228.72 feet to the Point of Beginning. Said strip of land containing 51.274 square feet or 1.177 acres, more or less and is subject to all easements, restrictions, reservations and covenants of record, if any.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: Petitioned by Barnes-Jewish Hospital, St. Louis Children's Hospital and The Washington University. Vacated area will be used to consolidate property for future development.

SECTION THREE: All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated street, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and franchise holders, except such rights as are specifically abandoned or released herein.

SECTION FOUR: The owners of the land may, at their election and expense remove the surface pavement of said so vacated street provided however, all utilities within the rights-of-way

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1 shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

2 **SECTION FIVE:** The City, utilities, governmental service entities and franchise holders
3 shall have the right and access to go upon the land and occupation hereof within the rights-of-way
4 for purposes associated with the maintenance, construction or planning of existing or future
5 facilities, being careful not to disrupt or disturb the owners interests more than is reasonably
6 required.

7 **SECTION SIX:** The owner(s) shall not place any improvement upon, over or in the area(s)
8 vacated without: 1) lawful permit from the Building Division or Authorized City agency as
9 governed by the Board of Public Service; 2) obtaining written consent of the utilities, governmental
10 service entities and franchise holders, present or future. The written consent with the terms and
11 conditions thereof shall be filed in writing with the Board of Public Service by each of the above
12 agencies as needed and approved by such Board prior to construction.

13 **SECTION SEVEN:** The owners may secure the removal of all or any part of the facilities
14 of a utility, governmental service entity or franchise holder by agreement in writing with such
15 utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the
16 undertaking of such removal.

17 **SECTION EIGHT:** In the event that granite curbing or cobblestones are removed within
18 the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must
19 have curbing cobblestones returned to the Department of Streets in good condition.

20 **SECTION NINE:** This ordinance shall be ineffective unless within three hundred sixty
21 (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to
22 exceed three (3) days prior to the affidavit submittal date as specified in the last section of this
23 ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements, if
24 applicable, as specified by the City of St. Louis Agencies listed below. All monies received will be

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1 deposited by these agencies with the Comptroller of the City of St. Louis.

- 2 1) CITY WATER DIVISION to cover the full expenses of removal and/or relocation of
3 Water facilities, if any.
- 4 2) CITY TRAFFIC AND TRANSPORTATION DIVISION to cover the full expense of
5 removal, relocation and/or purchase of all lighting facilities, if any. All street signs must
6 be returned.
- 7 3) CITY STREET DEPARTMENT to cover the full expenses required for the adjustments
8 of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as
9 specified in Sections Two and Eight of the Ordinance.

10 **SECTION TEN:** An affidavit stating that all of the conditions be submitted to the Director
11 of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing
12 and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit
13 will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted
14 within the prescribed time the ordinance will be null and void.

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